

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of :  
Joachim BUENGER : Group Art Unit.: 1614  
Serial No.: 10/509,368 : Examiner: HUGHES, Alicia  
Filed: September 28, 2007 :  
Title: USE OF COMPATIBLE SOLUTES FOR INHIBITING THE RELEASE OF  
CERAMIDES

**REPLY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

In response to the Office Action mailed on April 2, 2010, please consider the following remarks.

The Office Action alleges that the use of Miracare BT in products for topical application according to Deckers et al. renders the claimed invention obvious.

Applicants respectfully disagree with the rationale for the rejection, but because there are factual errors regarding the identity of Miracare BT, do not burden the record therewith.

Deckers et al. discloses emulsion formulations which comprise oil bodies. These formulations may additionally comprise anti-wrinkle and anti-aging actives ([0125]). This document neither discloses any compatible solutes as claimed in the present application nor any structurally related compounds. The compound in "Miracare BT" cited by the Office Action is not within the scope of the present claims.

According to a brochure from Rhodia, a full copy of which can be found at <http://www.in-cosmetics.com/ExhibitorLibrary/405/Rhodia-PersonalCare.pdf>, Miracare BT contains Water, Disodium Lauroamphodiacetate, Sodium Trideceth Sulfate, and Isopropyl Alcohol. See the herewith filed pages 22-23 of said brochure. The chemical structures of Disodium Lauroamphodiacetate and Sodium Trideceth Sulfate are provided below.